

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 1206  
Examiner: Mr. Alan M. Siegel

In re PATENT APPLICATION of:

Applicants : Pascal PENNETREAU et al.

Application No.: 08/285,015

Filed : August 2, 1994

For : PROCESS FOR THE  
PREPARATION OF 1-CHLORO-  
FLUOROETHANE AND/OR  
1,1-DIFLUOROETHANE

Attorney Docket: SLVAY 0829

LETTER

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March 24, 1995

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

In further response to the Official Action dated November 17, 1994, applicants are pleased to present herewith a Declaration Under 37 CFR 1.132 by Francine Janssens, a co-inventor of the above-identified patent application. As the Examiner will note, the enclosed Declaration further establishes the very different reactivities of vinyl chloride and vinylidene chloride, using conditions similar to those of Examples 1 and 4 at pages 9 to 11 of the above-identified patent application. The declarant has corrected clerical errors in the enclosed Declaration, and initialed each correction.

The enclosed Declaration is *vid nce* that the reactivity of vinyl chloride is not analogous to the reactivity of vinylidene chloride, and that the products obtained when

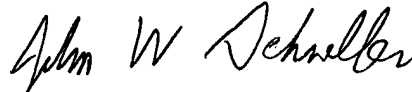
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vinylidene chloride are replaced by vinyl chloride in a given process are not necessarily those in which a fluorine group replaces one chloro group, as suggested by the Examiner. The enclosed Declaration is further **evidence** that there is **no reasonable expectation** of obtaining a known useful product with high selectivity when replacing the vinylidene chloride starting material by vinyl chloride. Thus a person of ordinary skill in the art would have had **no motivation** to make the modifications suggested by the Examiner.

Furthermore, applicants respectfully submit that the process of claim 11, using solvents not even disclosed by Walraevens, could not possibly have been obvious in view of the Walraevens disclosure.

In view of the enclosed Declaration, and for the reasons discussed in the Amendment filed February 17, 1995, applicants respectfully submit that their application is now in condition for allowance. The Examiner is respectfully requested to call the undersigned attorney if any minor matter remains.

Respectfully submitted,



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